

NEW MEXICO LAW ENFORCEMENT ACADEMY

REGULAR BOARD MEETING

June 6, 2017

8:30 a.m.

Western New Mexico University

1000 W. College Avenue

Silver City, New Mexico 88062

REPORTED BY: Jan A. Williams, RPR, NM CCR 14

BOARD MEMBERS

Chief Chris McCall, Vice Chairman

Chief Pete Kassetas

Sheriff Wesley Waller

Sergeant Jaime Quezada

Chief Darren Soland

Kelly Burnham

ALSO PRESENT

Stephan Marshall, Director

Brian Coss, Deputy Director

Dylan K. Lange, Esq.

Monica Medrano, Case Manager

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Attached:

Exhibits 1-4, Certifications of Law Enforcement Officers

Exhibits 1-2, Certifications of Public Safety Telecommunicators

1 ITEM NO. 1: CALL TO ORDER

2 CHIEF McCALL: We'll call our meeting to
3 order.

4 ITEM NO. 2: ROLL CALL

5 CHIEF McCALL: Monica, could you take the
6 roll for us, please.

7 MS. MEDRANO: The Honorable Hector Balderas.
8 Scot Key. Chief Pete Kassetas.

9 CHIEF KASSETAS: Here.

10 MS. MEDRANO: Sheriff Wesley Waller.

11 SHERIFF WALLER: Here.

12 MS. MEDRANO: Chief Darren Soland.

13 CHIEF SOLAND: Here.

14 MS. MEDRANO: Chief Chris McCall.

15 CHIEF McCALL: Here.

16 MS. MEDRANO: Sergeant Jaime Quezada.

17 SERGEANT QUEZADA: Here.

18 MS. MEDRANO: Ms. Kelly Burnham.

19 MS. BURNHAM: Here.

20 MS. MEDRANO: Dr. Elisabeth Miller.

21 ITEM NO. 3: APPROVAL OF AGENDA

22 CHIEF McCALL: Our next order of business
23 will be approval of the agenda. Do we have a motion
24 for approval of the agenda?

25 SHERIFF WALLER: Move to approve.

1 CHIEF KASSETAS: Second.

2 CHIEF McCALL: I have a motion and a second.
3 All in favor.

4 (Those in favor so indicate.)

5 CHIEF McCALL: Any opposed? The motion
6 carries.

7 ITEM NO. 4: APPROVAL OF MEETING MINUTES

8 CHIEF McCALL: Approval of the meeting
9 minutes of March 7th, 2017. I believe all the Board
10 Members have been supplied a copy of those minutes and
11 had an opportunity to review them. Are there any
12 additions or changes to make?

13 MS. BURNHAM: No.

14 CHIEF McCALL: Seeing none, I would ask for a
15 motion for approval of the minutes of the March 7th,
16 2017, meeting.

17 MS. BURNHAM: Move to approve the minutes of
18 the March 7th, 2017, meeting.

19 CHIEF McCALL: I have a motion for approval.

20 CHIEF KASSETAS: Second.

21 CHIEF McCALL: And a second. All in favor.
22 (Those in favor so indicate.)

23 CHIEF McCALL: Any opposed? The motion
24 carries.

25 ITEM NO. 5: DIRECTOR'S REPORT

1 CHIEF McCALL: The next order of business
2 will be the Director's report. Director Marshall.

3 DIRECTOR MARSHALL: Good morning. It's my
4 privilege to once again address this Board as the
5 Director of the New Mexico Law Enforcement Academy.

6 Since we last met, it's been an incredibly
7 busy but productive and rewarding time at the Academy.
8 We are most excited to share with you some of what
9 we've accomplished and what we're looking forward to
10 accomplishing in the coming months.

11 First, our primary mission is to train new
12 officers and telecommunicators. On May 18th we
13 graduated 58 new officers and deputies from the New
14 Mexico Law Enforcement Academy.

15 We'll be conducting our initial physical
16 assessment of Basic Police Officer Training Class 195
17 on June 23rd. And we'll begin the Academy with we're
18 hoping approximately 60 cadets on July 9th.

19 The New Mexico State Police graduated 24
20 officers on May 5th and are starting a lateral class
21 of probably 20 officers fairly soon. The Academy also
22 graduated 18 officers in a certification by waiver or
23 CBW class in March. And one applicant successfully
24 completed challenging the LEOCE and was certified as
25 well.

1 Another cert-by-waiver class of approximately
2 20 people started yesterday, which includes an elected
3 sheriff, an undersheriff, and a police chief new to
4 the state. We also graduated a public safety
5 telecommunicator class of 35 new dispatchers on
6 May 5th.

7 We have a certification by waiver dispatcher
8 class starting in August and another dispatcher class
9 the following month. So the Basic Academy has been
10 staying exceptionally busy and the satellites have
11 been busy as well.

12 Southern New Mexico Law Enforcement Academy
13 had a brief delay with some staffing changes but will
14 be graduating a class on June 30th of 17 officers.
15 They've completed their staffing changes.

16 We have Dr. August Fons with us today and
17 Mr. Walter Coburn who is on the staff now at
18 Southeastern New Mexico Academy. So they have 17
19 cadets coming up in this class. They graduated 11
20 dispatchers on April 28th.

21 Western New Mexico Law Enforcement Academy
22 who are hosting today will graduate 12 at the end of
23 this month as well on the 30th of June. And Dona Ana
24 County Academy just started a class of 20.

25 Albuquerque Police Department and Rio Rancho

1 Police Department graduated 31 new officers on
2 June 1st. And they start another class on Monday.

3 The Academy also hosted the annual Fallen
4 Officer Memorial on May 24th of this year, where we
5 added the names of Deputy Ryan Thomas of Valencia
6 County and Officers Jose Chavez of the Hatch Police
7 Department and Clint Corvinus of the Alamogordo Police
8 Department.

9 I know several of the Board Members were able
10 to attend. We appreciate your attendance and we
11 appreciate your support.

12 As far as our other objectives, we've been
13 dealing with a number of long-term goals and projects,
14 several of which have recently become a reality. And
15 we're very happy about all of that.

16 First, we've been attempting to purchase the
17 range that the Academy and others have used for about
18 the last 60 years under a lease agreement. We've been
19 attempting to purchase that for a few years. Last
20 month we got the final approval to spend the money
21 that had already been allocated. So we will purchase
22 the range here shortly.

23 Second, we've been pushing for a true modern
24 data management system to bring the Academy into the
25 21st century. We have finally put a contract in place

1 to deliver a system that will dramatically improve our
2 ability to track records and stay on top of training
3 requirements to improve the accuracy of the records of
4 our current system.

5 The new system will allow the reporting
6 agencies to submit their own reports under their own
7 data such as firearms scores with the click of a mouse
8 as opposed to the current system, which requires paper
9 records sent to us and manually entered by my staff.

10 Online registrations, records requests,
11 distance learning modules, agencies being able to
12 review their own entire training records at will, an
13 individual officer being able to observe his or her
14 training records as well, distance test
15 administration.

16 These things will all be possible under our
17 new system. We're very excited to get it implemented.
18 I think it's truly going to move us into the next
19 century. It's probably the single biggest advancement
20 that we've had at the Academy in a number of years.

21 Third, we've also been working with the House
22 Bill 9, which was passed in the last session by the
23 legislature and signed by the governor. The
24 legislation requires the New Mexico Law Enforcement
25 Academy to provide equipment and training so that

1 every officer and deputy in New Mexico is given a
2 tourniquet, a trauma kit, and training in the use of
3 that equipment.

4 The measure was inspired by Bernalillo County
5 Sheriff's Deputy Robin Hopkins, whose life was saved
6 by the timely application of a tourniquet following a
7 harrowing attack.

8 We have identified a vendor. We're still
9 working on some of the logistics of the training and
10 other issues. But we've got the purchase order in
11 place. So that's going to become a reality very
12 shortly.

13 CHIEF KASSETAS: Director.

14 DIRECTOR MARSHALL: Yes, sir.

15 CHIEF KASSETAS: If I may, I believe State
16 Police was going to buy all of those to the tune of
17 \$200,000.

18 DIRECTOR MARSHALL: Yes, sir. I was not sure
19 what the source of the funding was. But the money was
20 coming in through DPS. I didn't realize it came from
21 you.

22 CHIEF KASSETAS: I would be the source.

23 DIRECTOR MARSHALL: We appreciate that.

24 CHIEF KASSETAS: Proudly so.

25 DIRECTOR MARSHALL: Well, thank you very

1 much. I know that was the real challenge, was to how
2 it was going to get funded. So I appreciate the fact
3 that you guys were able to do that.

4 CHIEF KASSETAS: That's the understatement of
5 the year.

6 DIRECTOR MARSHALL: Yeah. We had a great
7 plan when the bill started. It didn't quite pan out.

8 CHIEF KASSETAS: I just wanted to make sure
9 you weren't doubling efforts, that you were working
10 with my training staff to make sure that you're not
11 doing it as a one-off. Okay.

12 DIRECTOR MARSHALL: No.

13 CHIEF KASSETAS: Great. Thank you.

14 DIRECTOR MARSHALL: The fourth thing we've
15 been working on, also with the help of the State
16 Police in particular, is DPS is completely rebuilding
17 it's public website. There will be a dedicated page
18 for the Law Enforcement Academy Board.

19 I know we talked about that at the last
20 meeting. We're hoping to have enough control over the
21 new site content that we're able to keep it current.

22 You guys are all aware that's always the
23 challenge with a public website, is the information
24 gets entered in and then stays there well past its
25 expiration date and people stop using it because they

1 don't trust the currency of it.

2 So hopefully, with the new system, we'll have
3 enough control over it that we can keep everything
4 up-to-date and current, provide contact information so
5 the public can contact you, and provide information
6 for you to be able to see what's going on as well. So
7 I believe the goal on that one is the beginning of
8 next month.

9 The next thing I wanted to mention is we've
10 identified an interesting survey completed by the
11 Bureau of Justice Statistics which published a Census
12 of Law Enforcement Training Academies.

13 We looked at the numbers -- I believe you
14 were given copies of those numbers -- compared to our
15 own and produced a table of the material. And there
16 are some striking similarities, which is a good thing
17 when you're looking at national averages and the time
18 we spend.

19 For example, the overall average of a state
20 POST academy was 650 hours. We're currently at 675,
21 which is pretty close. We're within a couple hours of
22 average in several categories, including firearms, use
23 of force, less-than-lethal weapons, defensive tactics,
24 criminal and constitutional law, and mediation and
25 conflict management.

1 We're really strong in areas including mental
2 illness and traffic laws. We're a little short on
3 community policing topics such as cultural diversity
4 and community policing.

5 Ideally a job task analysis could help us
6 determine if we needed to shift our hours, our frames.
7 Realistically a job task analysis is a million dollar
8 investment. And we don't have a million dollars to
9 spend.

10 So instead what we want to do is take
11 advantage of this study; look at our curriculum
12 detailed in the NMAC rules; and at our experience with
13 recent classes, look at the experience of the
14 satellite academies and see if we need to shift some
15 of the hours through the revision of the NMAC.

16 For example, we have 64 hours of fitness
17 compared to a national average of 49 hours. Our
18 16-week Academy, assuming all five-day workweeks, is
19 80 days. So we average almost an hour a day of
20 fitness activity.

21 Recognizing the body's need to rest and heal
22 between strenuous workouts, we're thinking it might be
23 better to cut back on that, to approximately 49 hours,
24 of the national average. If we did that, that would
25 free up two full days that we could devote to issues

1 such as community policing issues.

2 We currently spend three full days on
3 accident investigation, which is great for an advanced
4 class. But my instructors tell me that that's a full
5 day more than we actually need for a basic academy.

6 If we were to cut that down to a two-day
7 class, that would give us another eight hours that we
8 could invest in other categories such as communication
9 skills.

10 So we want to take a good look at the study.
11 We want to look at it again with communication with
12 our satellite academies and get their views on it as
13 well. But we're looking at it and thinking it might
14 be time to adjust some of those hours to cover some
15 other areas that we think are vital without extending
16 the overall length of the Academy.

17 Sixth, as we were requested at the last
18 meeting, we're looking at scheduling a citizen's
19 academy so we can demonstrate to the community what we
20 do at the New Mexico Law Enforcement Academy and why.
21 And we would encourage all of you to join us, if
22 you're able.

23 We haven't been able to conduct it yet
24 because, as you'll notice, it's sixth on the list of
25 what we've accomplished so far. It's been a really

1 busy three months.

2 But we're looking at approximately a half day
3 academy. I know other citizens' academies from
4 agencies sometimes go on for several weeks. But they
5 usually spend one day on training. And that's pretty
6 much our job.

7 So at this point we're looking at a July
8 date. We're trying to pick a day in July, probably a
9 Friday morning.

10 We would intend to include a tour of the
11 facility; a demonstration of the driving range; an
12 opportunity to experience our MILO system, our
13 interactive shooting reaction training system; and an
14 explanation of our training on things such as
15 constitutional issues and use of force.

16 The next thing we have is we've implemented
17 the rule changes for the LEA-90 process. You'll
18 notice we have a fairly short list of LEA-90 cases
19 today.

20 That's because, as we're making the
21 transition to the new system, there's been a little
22 bit of lag of getting everybody on the same page on
23 paperwork. I think we're finally there. Any backlog
24 should be quickly resolved once the new system is
25 implemented.

1 The last thing I wanted to suggest is
2 Mr. Dworak mentioned after the last meeting that we
3 could simplify the process of the orders, particularly
4 in the LEA-90 process, by having me, as the Executive
5 Secretary of the Board, sign the actual orders rather
6 than ship them to Southeastern New Mexico and ship
7 them back.

8 The way it works now is they have to be
9 physically sent over. If there's a change or a
10 correction, it goes back again. We delay everything
11 by sometimes more than a week.

12 If the Board would like to do it the other
13 way -- Mr. Dworak said most boards have the executive
14 secretary sign the orders. I could sign them, scan
15 them, send everyone an electronic copy so you guys
16 could review it, and it just saves us mailing paper
17 back and forth.

18 So obviously whatever you guys prefer we'll
19 do. But if you guys would like to do it that way, I'm
20 told that's the way most of the boards handle it.

21 So in closing Mr. Coss, Ms. Medrano, and the
22 rest of my staff and I look forward to meeting the
23 challenges of the coming months. We look forward to
24 fully implementing the things we talked about here
25 this morning.

1 I think we've made some great strides in the
2 last few months. It's been busy, but it's been very
3 rewarding. With that I'll open for any questions that
4 you guys might have.

5 CHIEF McCALL: Thank you, Director.

6 Any questions or comments from the Board?

7 CHIEF KASSETAS: One quick question. If we
8 do elect to change the process for you to sign the
9 orders, what would that take as far as procedurally?

10 DIRECTOR MARSHALL: I don't believe it would
11 take anything, because I'm already authorized as the
12 Executive Secretary by the rules to sign on behalf of
13 the Board. So by custom we've always had the Vice
14 Chairman sign them.

15 But it's already authorized. And, in fact, I
16 believe I signed one last time at the Vice Chairman's
17 request. So all it would take is the concurrence of
18 the Board that that would be the way they want to
19 proceed.

20 CHIEF McCALL: Just for the rest of the
21 Board, from my perspective we have a very inefficient
22 process of how we're doing this. They get shipped to
23 me. I have to review them. If I see something that
24 doesn't match the record or what we did, I'll send it
25 back.

1 And that process occurs several times. My
2 signature finally gets attached and they're shipped
3 back again at some point.

4 So I think a week would be kind. Probably
5 more like two weeks sometimes, maybe three, to have
6 that process play out. I think it would definitely be
7 more efficient for the Director to sign and actually
8 that all of us take a look at those, take a look at
9 those orders.

10 CHIEF KASSETAS: After they're signed?

11 CHIEF McCALL: You know, I don't know that
12 there would be an issue, before his signature was
13 attached, to send those out and give us a couple day
14 time frame to review and any comments back and then
15 just authorize him to sign those.

16 Would I need to authorize that as the Vice
17 Chair once everybody had their comment period or would
18 it just be understood?

19 DIRECTOR MARSHALL: Because the rules permit
20 me to sign it as it is, I think whatever approach that
21 you're comfortable with is covered by the rules. So
22 if you just would like to email me and tell me when
23 you're happy with them, then we can certainly do that.

24 Like I said, we could do all that
25 electronically in like I say a couple of days versus a

1 couple of weeks.

2 CHIEF KASSETAS: I like the idea of them
3 going to all Board Members electronically. And then
4 we can all make our comments to the Vice Chair and
5 then set a two or three-day time limit and get you any
6 changes.

7 That way you're not getting eight or nine
8 different emails. If someone in the group had a
9 change or an issue and would just reply to all so we
10 all are tracking it. But I like that system better.

11 DIRECTOR MARSHALL: And would it be the
12 Board's preference that we just set a time limit; and
13 if we don't hear any changes, just go ahead and sign
14 it?

15 CHIEF KASSETAS: Yeah, sure.

16 DIRECTOR MARSHALL: My concern would be then
17 that we're waiting for negative responses from
18 everybody and that slows us down as well. But I would
19 think that, if we could set three days, if that would
20 be satisfactory with the Board. I'll sign them in
21 three days unless I hear otherwise after you guys
22 receive them. Is that acceptable?

23 CHIEF KASSETAS: The process would be that,
24 if we have an issue, we reply to Chris McCall, maybe
25 even you and Chris, if we could, and just reply all so

1 everybody is tracking it.

2 CHIEF McCALL: Chief, there might be an issue
3 with the reply all.

4 CHIEF KASSETAS: Oh, yeah. Because of the
5 Board rule.

6 CHIEF McCALL: We can communicate back and
7 forth individually with the Director.

8 CHIEF KASSETAS: There you go. We'll reply
9 to you, Steve.

10 DIRECTOR MARSHALL: That's fine.

11 CHIEF KASSETAS: Okay. Thanks.

12 CHIEF McCALL: I like that idea. Anybody
13 else?

14 DIRECTOR MARSHALL: Anything else?

15 CHIEF McCALL: Congratulations on getting a
16 system in place to digitize all those records. That's
17 been a long time coming. I'm happy to see that that's
18 coming to fruition. Nice job.

19 DIRECTOR MARSHALL: Thank you. I have to
20 give full credit for the success of that program to
21 Mr. Coss. He's been fighting on it longer than he
22 wants to remember. His hair was dark when we started
23 this project.

24 MR. COSS: I was skinnier too.

25 DIRECTOR MARSHALL: Like I said, I think it's

1 the single biggest advancement we've made in the
2 Academy in a very long time.

3 CHIEF McCALL: Absolutely. That will have a
4 great impact. Thank you, Director.

5 DIRECTOR MARSHALL: Thank you, sir.

6 ITEM NO. 6: PUBLIC COMMENT

7 CHIEF McCALL: We'll move to public comment.
8 We'll open up the floor for any public comment. I do
9 ask that, in the interest of time, comments from each
10 member of the public be limited to two minutes at this
11 time. Do we have anyone that has signed up for public
12 comment, Monica?

13 MS. MEDRANO: No. There was nobody signed
14 up.

15 CHIEF McCALL: Is there anybody present that
16 would like to make public comment? No. All right.
17 Seeing none, we'll move on.

18 ITEM NO. 7: RATIFICATION OF CERTIFICATIONS FOR LAW
19 ENFORCEMENT OFFICERS

20 CHIEF McCALL: We'll move on to ratification
21 of certifications for law enforcement officers.

22 DIRECTOR MARSHALL: Thank you, sir. I would
23 like to submit and certify that, for the New Mexico
24 Law Enforcement Academy CBW Class No. 91,
25 Certification Nos. 17-0012-P through 17-0025-P, as

1 well as 02-0236-P, 00-0222-P, 82-0068-P, and 94-0182-P
2 have all met the requirements, along with the
3 Certification By Waiver/Challenge Certificate
4 No. 17-0026-P. Would you like me to list all of them
5 and vote on it at once?

6 CHIEF McCALL: I'll tell you what,
7 Mr. Director, rather than listing all the numbers, I
8 see they're all labeled as exhibits.

9 DIRECTOR MARSHALL: Yes, sir.

10 CHIEF McCALL: Let's just refer to them as
11 exhibits rather than trying to cover all the numbers.

12 DIRECTOR MARSHALL: Certainly.

13 CHIEF McCALL: Let's start with Exhibit 1
14 that you just announced. Can I get a motion for
15 approval for Exhibit 1 for the Cert by Waiver Class
16 No. 90.

17 CHIEF KASSETAS: So moved.

18 CHIEF McCALL: I have a motion for approval.
19 A second?

20 SERGEANT QUEZADA: Second.

21 CHIEF McCALL: A motion and a second. All in
22 favor.

23 (Those in favor so indicate.)

24 CHIEF McCALL: Any opposed? The motion
25 carries.

1 DIRECTOR MARSHALL: Exhibit 2 would be the
2 challenge that I just listed, one name.

3 CHIEF McCALL: Okay. Exhibit 2, do I hear a
4 motion for approval of Exhibit 2?

5 SERGEANT QUEZADA: I make a motion for
6 Exhibit 2 approval.

7 CHIEF McCALL: I have a motion. A second.

8 MS. BURNHAM: Second.

9 CHIEF McCALL: A motion and a second. All in
10 favor.

11 (Those in favor so indicate.)

12 CHIEF McCALL: Any opposed? The motion
13 carries.

14 DIRECTOR MARSHALL: Exhibit 3 would be the
15 State Police Certification Nos. 17-0027-P through
16 17-0050-P as contained in Exhibit No. 3.

17 CHIEF McCALL: Do I have a motion for
18 approval of Exhibit 3 for NMSP Class 91?

19 SHERIFF WALLER: Mr. Chairman, I move that we
20 ratify the certifications listed in Exhibit 3.

21 CHIEF McCALL: I have a motion for approval.
22 A second?

23 SERGEANT QUEZADA: Second it.

24 CHIEF McCALL: And a second. All in favor.

25 (Those in favor so indicate.)

1 CHIEF McCALL: Any opposed? The motion
2 carries.

3 DIRECTOR MARSHALL: Next, sir, we have
4 Exhibit 4, which is the Basic Police Officer Training
5 Class No. 194, which would include Certification
6 Nos. 17-0051-P through 17-0108-P as contained in
7 Exhibit 4.

8 CHIEF McCALL: Do I have a motion for
9 approval for Exhibit 4?

10 MS. BURNHAM: So moved.

11 CHIEF McCALL: I have a motion. Do I have a
12 second?

13 CHIEF SOLAND: Second.

14 CHIEF McCALL: A motion and a second. All in
15 favor.

16 (Those in favor so indicate.)

17 CHIEF McCALL: Any opposed? The motion
18 carries.

19 ITEM NO. 8: RATIFICATION OF CERTIFICATIONS FOR PUBLIC
20 SAFETY TELECOMMUNICATORS

21 CHIEF McCALL: We'll move on to ratification
22 of certifications for public safety telecommunicators.

23 DIRECTOR MARSHALL: Yes, sir. Exhibit 1
24 under item No. 8 would be New Mexico Law Enforcement
25 Academy Public Safety Telecommunicator Class No. 135,

1 which would include Certification Nos. 17-0027-PS
2 through 17-0048-PS and 07-0100-PS as contained in
3 Exhibit 1.

4 CHIEF McCALL: Do I have motion for Exhibit 1
5 for NMLEA Public Safety Telecommunicator Class
6 No. 135?

7 SERGEANT QUEZADA: I make a motion.

8 CHIEF KASSETAS: Second.

9 CHIEF McCALL: A motion and a second. All in
10 favor.

11 (Those in favor so indicate.)

12 CHIEF McCALL: Any opposed? The motion
13 carries.

14 DIRECTOR MARSHALL: The last certification
15 request would be Exhibit 2, which is the Southeastern
16 New Mexico Law Enforcement Academy Public Safety
17 Telecommunicator Class No. 12, Certification
18 Nos. 17-0049-PS through 17-0058-PS and 11-0021-PS as
19 contained in Exhibit 2.

20 CHIEF McCALL: Again a motion for Exhibit 2?

21 SHERIFF WALLER: Mr. Chairman, move that we
22 ratify the certifications listed in Exhibit 2.

23 CHIEF McCALL: I have a motion for approval.
24 Do I have a second?

25 SERGEANT QUEZADA: Second.

1 CHIEF McCALL: I have a second. All in
2 favor.

3 (Those in favor so indicate.)

4 CHIEF McCALL: Any opposed? The motion
5 carries.

6 ITEM NO. 9: CONSIDERATION AND POSSIBLE ADOPTION OF
7 PROPOSED AMENDMENTS TO NMAC 10.29.1, GENERAL
8 PROVISIONS RULE CHANGE

9 CHIEF McCALL: Moving on to item No. 9,
10 consideration and possible adoption of proposed
11 amendments to NMAC 10.29.1, General Provisions rule
12 changes. The rules committee will cover this.

13 CHIEF KASSETAS: Okay. So I'll head this
14 discussion I suppose. So the rules committee met.
15 And we have proposed in front of us the rule changes
16 as far as Title 10, Chapter 29, Part 1, go. We've all
17 reviewed these beforehand, correct?

18 CHIEF McCALL: Yes.

19 MS. BURNHAM: Yes. I'd like to make as part
20 of the record on the rule -- this particular rule
21 change, at the rules hearing on this matter, questions
22 and comments were made. And I would like to make
23 clear for the record some of the reasons for the
24 changes that are proposed.

25 And the most important one in my eyes is

1 10.29.1.8D(6). And the proposed change says, "All
2 meetings of the board that are open to the public
3 shall allow for a portion of the meeting time to be
4 designated for public comment."

5 And the reason that this proposed change was
6 included is to put in writing the public's right to
7 come before this Board. It was always our practice
8 for people to come before the Board. But we have
9 wanted to reduce that to writing so the public has a
10 clear right in the rules to come before us.

11 The other changes, I'm not prepared to state
12 the reasons for those changes. But maybe somebody
13 else on the committee can.

14 CHIEF KASSETAS: Let me back into this a
15 little bit here and talk about how we got here by the
16 way before we move forward. Kelly, I appreciate that.

17 We have proposed amendments to Part 1,
18 Part 4, and Part 10 of the Board's Administrative
19 Code, also known as the Board rules, those rules that
20 govern how we operate.

21 At the end of last year, the Academy Director
22 the Deputy Director brought forth some proposed
23 updates to the rules. The changes were provided to
24 the Board's rules committee for review.

25 And the committee met telephonically in

1 January and February. The committee provided feedback
2 and useful edits that made the rules easier to read
3 and helped with consistency.

4 At the Board meeting in March, the proposed
5 amendments were presented for consideration. Members
6 of the rules committee introduced the rules and
7 provided some justification and rationale along with a
8 recommendation to the Board that the proposed
9 amendments be published for public comment.

10 On May 12th a hearing was held to receive
11 public comment regarding the proposed amendments. The
12 Board was sent copies of the transcript from that
13 hearing along with exhibits admitted. The Board
14 Members should have reviewed those documents prior to
15 this meeting.

16 I will highlight some justification and
17 rationale for the Board's proposed revisions. And
18 then we'll yield to allow further discussion and other
19 comments from the Board.

20 So as it relates to Part 1, General
21 Provisions, these amendments would increase
22 transparency of the Board's rulemaking procedure and
23 clarifies notice requirements and opportunities for
24 public comment as Kelly spoke to.

25 Proposed revisions would also require

1 certified officers and telecommunicators to maintain a
2 current mailing address with the Academy in order to
3 help ensure the Academy and Board are able to deliver
4 official communication to each certificate holder.

5 Now, on Part 4, Instructor Certification,
6 these amendments would bring the Academy into current
7 standards of training and clarify requirements for an
8 individual to train and apply to be an instructor.

9 CHIEF McCALL: Chief, I think that's the next
10 item.

11 CHIEF KASSETAS: I jumped into that. So
12 we're going to vote on each part individually?

13 CHIEF McCALL: Individually, yes.

14 CHIEF KASSETAS: Yes.

15 CHIEF McCALL: We're currently discussing
16 NMAC 10.29.1, which is No. 9 in our packet.

17 Are there any other comments related to
18 10.29.1 or any of the changes or content?

19 I did notice that we made a correction in
20 10.29.1.10D, Withdrawal/Dismissal Enrollment, at the
21 Academy. I know that has come before the Board
22 numerous times, people seeking to be reinstated
23 somewhere in the midst of an academy when they've had
24 to withdraw for numerous different reasons.

25 I'm glad to see that we've addressed that

1 issue and taken that off of the Director's shoulders
2 as it were.

3 CHIEF KASSETAS: So is there any further
4 discussion? I would like to make a recommendation.

5 CHIEF McCALL: All right. I will call for a
6 motion.

7 CHIEF KASSETAS: I'll make a motion that we
8 accept Part 1 of the rule changes.

9 MS. BURNHAM: Second.

10 CHIEF McCALL: I have a motion and a second.
11 All in favor.

12 (Those in favor so indicate.)

13 CHIEF McCALL: Any opposed? Seeing none, the
14 motion carries.

15 ITEM NO. 10: CONSIDERATION AND POSSIBLE ADOPTION OF
16 PROPOSED AMENDMENTS TO NMAC 10.29.4, INSTRUCTOR
17 CERTIFICATION RULE CHANGE

18 CHIEF McCALL: We'll move to item No. 10,
19 consideration and possible adoption of proposed
20 amendments to NMAC 10.29.4, Instructor Certification
21 rule changes. I believe that's where you were leaving
22 off, Chief.

23 CHIEF KASSETAS: I was. Thank you, Mr. Vice
24 Chair. As far as Part 4, Instructor Certification,
25 these amendments would bring the Academy to current

1 standards of training and clarify requirements for an
2 individual to train and apply to be an instructor.

3 The revisions create consistency and
4 transparency by aligning the rules with the Law
5 Enforcement Training Act and the Public Safety
6 Telecommunicator Training Act.

7 Proposed amendments would help ensure
8 candidates receive timely and relevant training unique
9 to New Mexico and that training requirements are
10 stated in clear and understandable language in the
11 rules.

12 CHIEF McCALL: Any comments or questions from
13 the Board? I have one question. I'm not sure if it
14 would be more appropriately answered by the committee
15 or by the Director.

16 But it's related to 10.29.4.10F(1), under
17 High Risk. As I was reading that, I noticed we
18 removed SWAT and there's no mention of K-9 training as
19 high risk. Are those topics covered elsewhere or are
20 they generalized in this?

21 DIRECTOR MARSHALL: I'm going to refer you to
22 the Deputy Director.

23 MR. COSS: Thank you, Mr. Vice Chair. There
24 are a couple of things to consider, especially in the
25 SWAT or tac team operation.

1 On a national level -- and I know you all
2 know this. But there is no unified standard for a
3 tactical team or a SWAT team. There is the NTOA and
4 they've established some parameters.

5 But, you know, as an example there may be a
6 physical fitness requirement recommendation. But it's
7 just a recommendation. There may be an entry level
8 firearms proficiency before one is accepted into an
9 SPO2 or, you know, a SWAT type school. And those seem
10 to vary greatly.

11 And so until such a time as we can
12 collectively kind of adopt for our state at least what
13 that standard is going to be, the thinking was that we
14 would leave the certification, if you will, to the
15 NTOA, National Tactical Officers Association, or these
16 other various groups, right, that have that subject
17 matter expertise.

18 What we're trying to avoid is that an
19 individual officer might try to attend a SWAT school
20 sponsored by a county or by a municipality. They show
21 up on day one and they can't quite meet let's say the
22 physical standard or the proficiency standard with the
23 firearm. And so they're not able to continue with
24 that program.

25 Well, two weeks later they show up at another

1 county or at another municipality school and the
2 standard is different. And all of a sudden they're
3 accepted and successfully complete that particular
4 training program.

5 So until such a time as we get kind of a
6 comprehensive core understanding and baseline for the
7 state, then we can go back and try to reapply this.
8 It would definitely be included in the high risk. But
9 that is going to take some time.

10 And so the way the current rules were
11 articulated, we did issue SWAT or tactical team
12 instructor credentials. But it took a whole bunch of
13 hours to understand the particular schools that the
14 individuals went through.

15 So the overall goal is just trying to at some
16 point establish that baseline, that foundation for a
17 SWAT or a tac team instructor local certification.

18 And also, just so the Board understands,
19 there are a number of organizations that already
20 certify instructors in those. The State generally
21 doesn't teach, you know, those instructor level
22 schools to begin with.

23 So there's a number of certifying authorities
24 out there already. So there really should be no gap
25 in our tactical officers or our SWAT officers

1 receiving the training and the instruction and the
2 certification that they do need. It's already there,
3 the vehicle is already there.

4 Our goal was just hopefully to be able to
5 establish what the baseline is going to be for our
6 state collectively and then build that back into the
7 rules at a later date.

8 CHIEF McCALL: Very good. Thank you. Any
9 other questions related to this section or comments?
10 Seeing none, I would ask for a motion in regards to
11 item No. 10.

12 MS. BURNHAM: Mr. Chairman, before we move
13 on, the grammar Nazi has found a typographical error.
14 I'm sorry. It's in 10.29.4.13. It says Police
15 Officer Advanced "Certifcation." And it should be
16 "Certification." So we just need to make that little
17 change.

18 CHIEF McCALL: Would you like to make a
19 motion for that change.

20 MS. BURNHAM: I move that we change the title
21 of 10.29.4.13 to correct the misspelling of
22 "Certification."

23 CHIEF McCALL: I have a motion for approval.
24 Is there a second?

25 SHERIFF WALLER: Second.

1 CHIEF McCALL: A motion and a second. All in
2 favor.

3 (Those in favor so indicate.)

4 CHIEF McCALL: Any opposed? The motion
5 carries on item 10. Okay.

6 MR. LANGE: I'm sorry. We just approved the
7 motion to correct the language. So we just need a
8 general motion to approve the rule with the
9 amendments.

10 CHIEF McCALL: Counsel has just advised me
11 that we've only approved the motion to correct the
12 language. So now we need a motion to actually approve
13 the changes to NMAC 10.29.4.

14 SHERIFF WALLER: So moved.

15 CHIEF McCALL: I have a motion. Do I have a
16 second?

17 SERGEANT QUEZADA: I'll second it.

18 CHIEF McCALL: A motion and a second. All in
19 favor.

20 (Those in favor so indicate.)

21 CHIEF McCALL: Any opposed? The motion
22 carries.

23 ITEM NO. 11: CONSIDERATION AND POSSIBLE ADOPTION OF
24 PROPOSED AMENDMENTS TO NMAC 10.29.10, PUBLIC SAFETY
25 TELECOMMUNICATOR MINIMUM STANDARDS OF TRAINING RULE

1 CHANGE

2 CHIEF McCALL: Item No. 11, consideration and
3 possible adoption of proposed amendments to NMAC
4 10.29.10, Public Safety Telecommunicator Minimum
5 Standards of Training rule change.

6 CHIEF KASSETAS: Mr. Vice Chair, as it
7 relates to Part 10, Public Safety Telecommunicator,
8 these amendments update outdated language and clarify
9 terminology.

10 The proposed revisions would bring the
11 Academy into current standards and industry best
12 practices related to training for public safety
13 telecommunicators. The changes provide more
14 transparency for training and add additional training
15 requirements.

16 CHIEF McCALL: Any questions or comments from
17 the Board related to this change? Seeing none, I
18 would ask for a motion to approve and adopt the
19 proposed amendments to NMAC 10.29.10.

20 MS. BURNHAM: I move to approve the proposed
21 amendments.

22 CHIEF McCALL: I have a motion to approve.
23 Is there a second?

24 CHIEF KASSETAS: Second.

25 CHIEF McCALL: A motion and a second. All in

1 favor.

2 (Those in favor so indicate.)

3 CHIEF McCALL: Any opposed? The motion
4 carries.

5 MR. LANGE: Mr. Vice Chair, may I say
6 something.

7 CHIEF McCALL: Yes, sir.

8 MR. LANGE: Mr. Vice Chair, Members of the
9 Board, I just want to clarify that the Board's action
10 will be finalized and executed via written order after
11 this regarding the rule changes. And it will be
12 signed by the Vice Chair.

13 I just want that to be on the record. We
14 will be having an official order regarding the rule
15 changes coming out. Thank you.

16 ITEM NO. 12: DISCUSSION AND UPDATE ON HOUSE BILL 370,
17 NALOXONE (NARCAN), AND CONSIDERATION OF ADDING
18 TRAINING TO THE BASIC ACADEMY CURRICULUM

19 CHIEF McCALL: Our next item, No. 12,
20 discussion and update on House Bill 370. Deputy
21 Director Brian Coss.

22 MR. COSS: Thank you, Mr. Chair, Members of
23 the Board. I just want to try to provide a brief
24 overview. And I'm sure you all are aware of the some
25 of the legislative changes out of the last session.

1 House Bill 370, being the Narcan or Naloxone
2 bill, if you all do not have a copy of that or if
3 anybody in the audience doesn't have it, just let me
4 know and I'll be glad to get you a copy of that
5 proposed legislation that was signed into law.

6 In speaking about House Bill 370 initially,
7 that is a bill that, based upon funding for an
8 agency -- in other words, there wasn't an
9 appropriation. But based upon agency funding to train
10 and provide two -- we'll call them rescue kits for
11 each officer working the street.

12 It's a nasal-based atomizer as opposed to
13 having to do a subcutaneous shot or any of those kind
14 of things. So it's fairly simple and easy to be able
15 to utilize. And the training for it is also fairly
16 straightforward. And so the training aspect of it
17 will not be that big of a burden on the agencies.

18 There seems to be some variances in the
19 prices that I'm receiving for the actual kits. A
20 single dose kit seems to run somewhere between 40 and
21 \$200 per kit, realizing that you have to have two kits
22 available to these officers.

23 But the other thing I just wanted to share
24 with the group is that these kits are going to have a
25 relatively short shelf life. Most of them have an

1 expiration date about two years. And so it doesn't
2 last a really, really long time.

3 There's been a number of studies around that,
4 you know, have shown -- on a nationwide level that
5 have shown some reversals, a number of reversals for
6 opioid. It's particularly for -- it's an opioid
7 antagonist. It's particularly for heroin addicts or
8 synthetic heroins that are out there.

9 So even such things as -- where you may be
10 thinking the illicit drugs, if you will. But it's
11 also your Oxycodone, you know, your Percocet. All
12 those kind of have some of those same components,
13 right.

14 What I will tell you just from experience,
15 having been in the back of a bus for a year or two, on
16 a synthetic opioid, very, very difficult to reverse.
17 It is much more difficult to reverse the respiratory
18 depression.

19 And that's what this does. This reverses --
20 you know, you're working with somebody that's
21 breathing three or four times a minute. Obviously
22 they are not conscious at that particular point,
23 right. And it kind of reverses a little bit of that
24 process to where you can restore the respiratory rate
25 hopefully prior to the cardiac arrest that soon will

1 be coming.

2 But for those of you that have county
3 detention centers or municipal detention centers, you
4 also need to understand that it affects you as well.
5 Every detainee that's released that not even
6 necessarily has been diagnosed with an addiction
7 problem but that has expressed those kind of
8 tendencies, they've got to be released with that kind
9 of kit as well.

10 Now, while I'm sitting here before the Board,
11 I realize that's not for self-administration. Just so
12 you know, if you're breathing three or four times a
13 minute, you're not conscious. It's going to be really
14 tough for you to, you know, squirt it into your own
15 nose. But it's probably more for self-aid, you know,
16 for the buddies that you're associating with, right.

17 So that is going to be a huge budget
18 adjustment for many agencies. And many agencies are
19 already reaching out to us and trying to develop a
20 little bit more of a global approach.

21 The Department of Health is working on some
22 stuff to try to help in that regard because it is a
23 drug. It requires a prescription, right, to -- you
24 can't just run down to Walgreens and pick it up.

25 So this legislative act helps with that. But

1 there are also some organizations out there that are
2 trying to help build that up a little bit more as
3 well, such as the Department of Health.

4 And working with the Attorney General's
5 Office staff that's trying to develop at least a
6 resource out there to kind of help in both providing
7 the training as well as providing the kits and then
8 their replacement. So that is coming. Is there any
9 questions?

10 CHIEF KASSETAS: Brian, so first off, you
11 know, as a state police agency, we did this about two
12 and a half or maybe two years ago in Rio Arriba
13 County. And we've had several successful deployments.

14 It's not only purchasing the two doses, but
15 you have to buy the case to carry it in because it
16 goes in -- normally it's in a police car. And that
17 Narcan -- I suppose Naloxone is what it's called -- is
18 subject to heat, you know, heat and cold changes. So
19 it can render the drug ineffective.

20 So, you know, we have just recently, to the
21 tune of \$60,000, purchased a kit for every
22 commissioned State Police officer. They haven't went
23 out yet. But it's two doses as you said. It lasts
24 two years. And then it's the carrying case they keep
25 in their unit to control the temperature.

1 As far as the training goes, I would suggest
2 to my counterparts out there in the law enforcement
3 community that don't over think this. I could give
4 myself a dose right now and it wouldn't do anything to
5 me.

6 So the training component doesn't need to be
7 very involved. And we don't need to call in hundreds
8 of officers out in the field. We've developed a video
9 through the State Police and DPS that we're willing to
10 share.

11 As long as the officer watches it, it gives
12 the basic steps on how to administer it. That I think
13 more than covers it. And that's what I'm doing for my
14 650 some commissioned. That way we can deploy it.

15 My worst fear is we receive the dosages and
16 they sit on the shelf for six or eight months while we
17 work through these courses that we have to send people
18 to.

19 So I offer that. I'll send you the link.
20 And you can send it out to your law enforcement
21 networks and that might suffice. I don't know what
22 else the AG's office is doing.

23 But I think this is something that, if we're
24 going to do it and agencies can budgetarily do it, we
25 commit to it and get it in the hands of our officers

1 instead of kind of farting around with it.

2 MR. COSS: I could not agree more. And,
3 Chief, you're absolutely correct. I mean protocols
4 may have changed since I rode in the back of a bus,
5 and my version of a bus was an ambulance.

6 But that was our protocol for unconscious for
7 unknown reason, right. The first was for us starting
8 a line, starting an IV, pushing an amp of D50 sugar
9 water. If that didn't fix it, you pushed Narcan. I
10 mean literally. So it doesn't have any necessarily
11 negative consequences, right.

12 CHIEF KASSETAS: The point being made,
13 though, Brian, is that in moving forward, since the
14 bill has been signed and the availability to pick up
15 the drug is -- it's more accessible to law enforcement
16 I think, from the Law Enforcement Academy position,
17 let's not overcomplicate it.

18 Let's consider sending the link out. And
19 then the agencies can buy at will as they need. And
20 if the LEA is going to spearhead a process as far as a
21 conduit to help with vendors to get better deals,
22 buying in bulk, so be it. That's totally up to you.
23 We'll share who we bought from, the State Police, that
24 might help. And agencies can decide what they can or
25 can't afford.

1 MR. COSS: Absolutely, Chief. And that's our
2 only hope, is to just try to be a vehicle by which --
3 I could not agree with you more. I mean, you know, if
4 somebody is current on, you know, CPR which includes
5 rescue breathing, this shouldn't be more than a 10 or
6 15-minute deal to be able to help add this to their
7 tool bag.

8 There is some logistics. There is storage,
9 there is the expiration date, there is the backlog
10 stories that you guys as agencies are going to have to
11 maintain, right. So that, if a kit is used, you've
12 got another one that you can reasonably quickly
13 redeploy or restock to your officers in the field.

14 So there's a number of those kind of things
15 that are -- you know, they're going to have to come
16 from an agency level. But very, very straightforward,
17 very simple. Very simple to use.

18 CHIEF McCALL: Is this something that will be
19 added into the first aid program if it's a 15 or 20 or
20 30-minute course of instruction?

21 MR. COSS: Our goal is to add it into our
22 basic training component, right. A pre-reg for us,
23 when they come to the Academy, is that they've already
24 got first aid/CPR. So we don't actually teach that
25 during the Academy. But it will be a component that

1 we'll add into basic training, CBW. But as the chief
2 said, it's going to be relatively short.

3 CHIEF KASSETAS: Here is my comment to that.
4 Certainly you could train it in the Basic Academy,
5 Brian. But remember, right, law enforcement officers
6 in this state can be on the job up to a year, correct?

7 MR. COSS: Yes, sir.

8 CHIEF KASSETAS: Could you imagine if an
9 agency said, well, we haven't sent you to the Basic
10 Academy for Narcan training and we're not going to
11 give you that resource; and in month four of this
12 officer being uncertified and on the job he runs
13 across an incident where he or she can administer that
14 drug and save a life, then we've put ourselves in a
15 very bad place.

16 So all I'm saying is definitely address it in
17 the Academy as a quick module discussion and show the
18 video I think to meet the requirements of this bill
19 and to address the massive overdose problem we have in
20 this state. Time is of the essence in a sense, right.

21 I would hate to handcuff agencies by saying
22 don't distribute it until you have sent someone to
23 this official class versus here is a link, watch this
24 video. It gives you the basics.

25 Obviously the next discussion is different,

1 right. You're not going to put a tourniquet in
2 someone's hands without proper training. You need to
3 know how to put that on in a stressful situation.
4 This is a somewhat different scenario.

5 MR. COSS: I totally agree, Chief. And again
6 we're just trying to provide through the Board just a
7 vehicle by which to ease and expedite this process.

8 In working with collaboration with the
9 Attorney General's Office, if collectively the State
10 can get a better rate let's say on purchasing the
11 kits, right, well, that's better for all of us
12 because, you know, we're buying in mass, if you will,
13 as opposed to each individual agency going out and
14 trying to negotiate it on their own.

15 So those are some of the things we're working
16 on. But I could not agree more. It's very
17 straightforward. And like I say, inside 15, outside
18 30 minutes, somebody should be pretty well-versed in
19 the administration of Narcan or Naloxone.

20 MS. BURNHAM: I have two comments,
21 Mr. Chairman, if I may.

22 One is I have spoken with heroin addicts who
23 sold heroin to other people. And they said I always
24 have my Narcan for my customers. So if they get in
25 trouble, I can give it to them.

1 So that makes what the chief says about it
2 not taking -- not that I don't respect their
3 expertise. But our officers can learn quickly from
4 the video I'm thinking. And if we could just get that
5 video out and encourage departments to disburse it to
6 everybody, I think that would be really good.

7 And a lot of people -- I've read in the paper
8 that people say, you know, why bring them back, why do
9 that, they're just going to go out and get high again.

10 Well, I have a 25-year old niece who died of
11 a heroin overdose. And if Narcan could have saved her
12 life, I would have -- I would have stocked up on it
13 myself, if I could have. So I think it's really
14 important. It's a good thing that the legislature has
15 done. It gives us a really good tool to help people.

16 MR. COSS: I could not agree more. There are
17 going to be some that are going to say, well, they're
18 going to go out and do this again, right. You know,
19 at the end of the day, it's a human life. And that's
20 kind of what we're in the business of.

21 It's not up to us, you know, whether they're
22 going to go out and do it again. It's up to us to
23 respond to the call that we're called to. And this is
24 a pretty effective tool to restore the respiratory
25 rate of somebody that has suffered an opioid overdose.

1 And so I think that's going to be -- any of
2 the potential negative views out there, I think it's
3 going to be pretty quickly overridden because, you
4 know, once you have a save in that kind of an
5 environment -- and it truly is a save. You can call
6 it what you want. But it truly is a save. It kind of
7 inspires you and intrinsically motivates you to want
8 the next one, right.

9 Now, I will tell you just, you know,
10 practically speaking that these kits that are going to
11 be issued, right, especially out of detention centers
12 and that sort of thing to the individuals, right,
13 these kits are worth a lot of money in street value.

14 In some cases they're worth more than the
15 heroin that they're injecting. So just kind of
16 understand that in your guys' minds as well, that it
17 could be a vehicle by which they're simply converting
18 the cash to continue those processes.

19 Nothing we can do about that. We've got to,
20 you know, keep moving forward with best of interest
21 and best of intent of the legislative act. And I
22 think it is a positive thing.

23 CHIEF McCALL: Thank you. Any further
24 comments from the Board? Yes, sir.

25 CHIEF SOLAND: Mr. Chair, Mr. Coss,

1 everything you've said is important. Point specific,
2 we as a tribal agency at Ramah Navajo implemented this
3 for both our police officers and our detention last
4 November.

5 And one of the things that we are working
6 with now, because there is no policy or procedural use
7 within the Bureau of Indian Affairs that Tribal 638
8 programs use as an umbrella policy in the procedure
9 manual on this. And so we have basically wrote our
10 own policy and procedure on it.

11 But one of the things now that we're
12 wrangling with is some of quality control issues about
13 maintaining custody of it and do we assign it to the
14 individual employee or do we assign it to a car or do
15 we assign it to the facility.

16 And that's one of the things that we're
17 struggling with to find proper protocol. So I'm going
18 to look to the Academy and I'm going to look to what
19 Chief Kassetas is doing and some of the other agencies
20 that already have some procedures in place.

21 MR. COSS: And I appreciate that. There is
22 a -- you know, DPS or State Police has developed a
23 policy. I think it just came out of R&D a handful of
24 days ago. And so, you know, that might be at least a
25 starting point for some of the agencies, if the State

1 Police are so gracious enough to offer it.

2 It is a consideration. You know, it seems to
3 be that the agencies that are issuing Narcan at this
4 point, even prior to this legislative act, they're
5 issuing it to the individuals. And so that kind of
6 becomes their responsibility to maintain along with
7 their other gear, if you will.

8 And that seems to be working okay. Now, a
9 detention center, a whole other matter. That's going
10 to be -- whether that's at the control center or
11 whatever the case may be. Those logistics we're going
12 to have to continue to work through.

13 CHIEF McCALL: Thank you, Director Coss.

14 ITEM NO. 13: DISCUSSION AND UPDATE ON HOUSE BILL 9,
15 TOURNIQUET AND TRAUMA KITS, AND CONSIDERATION OF
16 ADDING TRAINING TO THE BASIC ACADEMY CURRICULUM

17 CHIEF McCALL: We'll move to item 13,
18 discussion and update on House Bill 9. Mr. Coss, you
19 still have the floor.

20 MR. COSS: Thank you very much. House
21 Bill 9, the tourniquet and trauma kit legislation, was
22 enacted. But once again the appropriation kind of
23 fell off towards the end.

24 The original legislative act was a whole
25 bunch of effort and work. And it was truly based off

1 of, you know, kind of a harrowing story of Deputy
2 Robin Hopkins, right, with Bernalillo County, who took
3 an AK-47 round to the leg.

4 Had she not had that tourniquet on her, you
5 know, she wouldn't be with us now. I've had the
6 pleasure of talking to her a number of times,
7 especially over these last couple weeks.

8 The greater DPS organization -- and this was
9 news to me. I appreciate it, Chief. But the greater
10 DPS organization was able to come up with some of the
11 funding to get this program started, right. Because
12 it becomes effective July 1.

13 And so in a relatively short period of time,
14 I think we found out -- I think it was Friday before
15 Memorial Day. And those of you familiar with State
16 procurement and fiscal year budgets, right, understand
17 that we've got to have contractors identified and
18 contracts in place and goods received by June 30th.

19 So it's been a tremendous amount of work.
20 And I appreciate Mr. Shea being here, Undersheriff
21 Mark Shea, because he was probably talking to me a lot
22 more than he wanted to over a really, really short
23 period of time.

24 The upside is we do have kits identified. We
25 do have a vendor identified. As the Director said in

1 the Director's report, we're waiting for just a couple
2 more pieces to fall into place and that order should
3 be placed. And so we're going to have enough kits to
4 get the initial rollout.

5 We couldn't get the training and curriculum
6 established until we had the components of the kit
7 identified. Those truly are going to become the
8 objectives of the training curriculum, right. And so
9 that process is now underway.

10 We will be making an emphasis of trying to
11 provide some instructor level training, right, so that
12 this can disseminate statewide as quickly and as
13 effectively as it can, right.

14 We will be providing some training. But the
15 initial goal is going to be trying to get, you know,
16 those folks in your agencies that have that particular
17 expertise, right, to be able to receive this
18 instructor level training so that they can continue to
19 push it forward. And then we will be issuing out the
20 tourniquets and the trauma kits.

21 These kits in total, as they sit right now,
22 will have a shelf life of 10 years. Okay. So in an
23 average officers's career, you're going to go through
24 a couple of them, right. But again we provide that.

25 There is recurring funding in this act that

1 will come out of the LEPF funds. So it was the
2 initial startup, right, which is the missing
3 appropriations component. After that we'll have the
4 income coming into the Academy to be able to sustain
5 this program.

6 And it's been with a bunch of hard work by a
7 bunch of dedicated folks including the group that
8 originally sponsored this bill and naturally
9 Ms. Hopkins kind of leading the charge.

10 We hope to have all that equipment here
11 before June 30th. And so our next goal then is to
12 start working on the curriculum so we can have at
13 least an outline of that for you all by July 1.
14 That's the goal.

15 CHIEF KASSETAS: Brian, I was reading the
16 bill. I want one point of clarification. Does the
17 bill mandate that officers carry that tourniquet on
18 their person or does it not speak to that?

19 MR. COSS: It does not. But that is
20 absolutely going to be the emphasis and the emphasis
21 of the training as well as that's been kind of the
22 driving force in identifying the particular kits.
23 Because we all know officers are carrying a lot of
24 stuff. But to be perfectly frank, if this kit is not
25 on you, it is absolutely worthless.

1 CHIEF KASSETAS: Sure. My only issue is that
2 there's no way that we at DPS or my budget can afford
3 to buy kits that are customized to agencies and how
4 they want to look and carry. So I'm assuming the kits
5 that your shop is spearheading are somewhat generic.
6 And then they can take the tourniquet out of them and
7 carry it in a pouch or a case or whatever.

8 MR. COSS: Absolutely. It's going to have
9 four core components. And it's going to come in a
10 vacuum-sealed bag that will comfortably fit behind
11 your trauma plate but in front of your ballistic
12 carrier.

13 It's a big enough kit that under stress you
14 can reach in and just rip open your shirt, reach in
15 and grab that thing and pull it out, and it will have
16 everything you need. But you're absolutely right.
17 We're not going dictate how one carries it.

18 If your agency wants to buy, you know, a
19 carrier off the belt, great. You know, if they want
20 to put it on their tac team vest, you know, great. If
21 they want to take the components apart and put them in
22 some BDU pockets and stuff, great.

23 But the goal is that the entire contents of
24 this kit is on you. In you have the time to go back
25 to your car and then come back to the scene, okay.

1 That's great. But grab your big bag, right. Because
2 you all have trauma bags or first aid kits of some
3 kind in your car. Go get the big bag rather than
4 trying to find this little improvised first aid kit,
5 if you will.

6 So, Chief, you're absolutely right. The goal
7 is to have it on them. And that's been some of the
8 impetus of the research, is to try to assure that it
9 is packaged in such a way that it doesn't take up any
10 more real estate than they need.

11 CHIEF KASSETAS: Okay. Thank you.

12 CHIEF McCALL: As this training relates,
13 there will be additional hours?

14 MR. COSS: There will be additional hours.
15 And I apologize. I can't even give you what an
16 estimate on those are. I didn't want us to try to
17 rat-hole ourselves into a certain amount.

18 The application under stress, as you well
19 know, is going to be the key. So in my humble
20 opinion, it would be laying the cognitive foundation
21 with a skill set to apply the tourniquet, climate
22 controlled classroom, right, no stress.

23 And then continue to evolve it to where, when
24 they are going out to do, you know, officer survival
25 or force-on-force training or whatever the case may

1 be, that that becomes just another component of that
2 to where they can self-apply or apply to their buddy
3 under stress. So that that skill set will be there
4 for them.

5 CHIEF McCALL: Any other comments or
6 questions from the Board? Okay. Great. We'll
7 move --

8 MR. COSS: Mr. Shea, do you have anything to
9 add before I step away?

10 MR. SHEA: I just wanted to point out that we
11 went through a lot of discussion about what type of
12 tourniquet, because there is a ton of them out there
13 and lots of vendors that are obviously saying theirs
14 is the best.

15 We went through and did an analysis, did the
16 research. As to the types of tourniquets, the one
17 that we selected was the SOF T-Wide. And that just
18 happened to be the one that saved Robin Hopkins' life.

19 But the advantage of it is it uses a metal
20 windlass. That's the portion that you twist in order
21 to cause the compression so that it's not subject to
22 environmental conditions; whereas, the CAT was a
23 plastic windlass that, once you took it out of the
24 package and you had it sitting in the car in the heat
25 of the car, they tend to fail; or the SWAT-T, which

1 was like a giant rubber band which again, if a lot of
2 heat was applied it to over a long period of time, it
3 had a possibility of failing. Plus the fact that it
4 was difficult to apply in a wet environment because it
5 required it to stick upon itself.

6 So that's why we selected the SOF T. The
7 other issue is that, since it is metal, it can be used
8 to train with. If you were using the CAT or the other
9 ones, you would have to buy some for training and then
10 issue separate ones for carry.

11 With the SOF T you can train with the one
12 that you're going to carry, which will help with the
13 initial training and will help with refresher
14 training. So the financial impact will not be such
15 that we would have to purchase a lot of them over and
16 over again.

17 Another thing that we initially had looked at
18 including but opted out for was clotting agents. The
19 data shows that they're really not that effective in
20 the settings that we are looking at saving lives in.

21 They're good at stopping clotting at a -- on
22 a surface laceration. But deep wounds, gunshot
23 wounds, it's not going to work well for us in the
24 application that we want these trauma kits to be
25 deployed.

1 So all of this was researched with the help
2 of Deputy Director Coss and then a couple of emergency
3 medicine doctors with UNM Emergency Medicine, SWAT
4 doctors that are directors of the SWAT teams in
5 Bernalillo County, Valencia County, City of
6 Albuquerque.

7 Those decisions were made. So there was a
8 lot of thought put into it. We're looking at -- that
9 deployment is one to every first responder in the
10 field. So we'll have to get that in an in-service
11 training mode.

12 We may look at the end of the year of
13 building that into the next biennium cycle to catch
14 everybody, to make sure that they did get it, build it
15 into the Academy setting as part of the officer
16 survival block and instruction to where they have a
17 practical scenario where they're applying that
18 tourniquet under stress and do that type of training.
19 And then catch everybody that's coming into the state
20 with a cert by waiver so that we have it all in place.

21 So again I commend the chief. I know we had
22 a discussion at the memorial where he tagged me and
23 said that the Cabinet Secretary told him that he was
24 going to be paying for them. And I said don't worry
25 about it, I'll find the money.

1 Well, I did have alternate funding. The
2 Secretary called and said we have the money and you
3 have to spend it by Thursday. So we moved forward on
4 it and made that happen.

5 Again the State Police has always come to the
6 aid of everyone else in the State from the standpoint
7 of law enforcement. And the chief in particular has
8 always been looking out for everyone in the State
9 besides looking out for the officers with the State
10 Police.

11 And I would like to publicly commend you,
12 Chief, for stepping up to the plate and helping the
13 State in this particular initiative and all the
14 initiatives. We can always count on the State Police
15 to help us out. I know in Valencia County
16 particularly.

17 But that's my two cents worth. I've been
18 working on it for a long time. Robin inspired me to
19 push the bill through the legislature. And we got the
20 governor to sign it. And now we're going to see it
21 actually hit the street.

22 SHERIFF WALLER: I just wanted to say, I
23 greatly appreciate the whole time and effort that
24 you've put into this extremely important measure.
25 I've seen all your emails, I've visited with you.

1 You've been tireless with this issue. And I'm glad to
2 see that it's become a success.

3 MR. SHEA: You know, there are a lot of
4 advantages. There are pluses, some unintended
5 benefits. One is I think we've got some movement now
6 with trying to identify the LEPF funding to actually
7 go back to training law enforcement rather than
8 reverting back to the general fund.

9 The way this bill -- the language of this
10 bill opens that door. Talking with the legislature,
11 they are going to aggressively, out of the speaker's
12 initiative, to try to work with the LFC to start
13 making some inroads into getting that money back into
14 law enforcement training versus reverting it back to
15 the general fund. So that was a plus that came out of
16 this that was an unintended consequence that I think
17 we'll see.

18 A lot of things happened for law enforcement
19 in the legislature because nothing builds on success
20 like success. So we had a success here, a small one,
21 in the legislature. So I think it's opened the door
22 for law enforcement. As long as we act in unison as a
23 profession, that we'll see some more positive things
24 come from the legislature.

25 MR. COSS: If I could, just right there, just

1 to follow-up. You know, if agencies already have
2 them, right, and they already have a plan in place,
3 that's great. This doesn't change that. They just
4 keep doing what they're doing, right. This is really
5 for the agencies that don't have a solution.

6 So when we say there's 5,600 officers out
7 there, you know, spread across 193 agencies, we're
8 prepared to support them. And we're going to develop
9 the logistics right behind this to where you don't
10 have to wait a week or ten days to get a new kit,
11 should you use one, right, so we can get a new one
12 rolled out quickly by spreading out the logistics.

13 Whether that's spreading it out with our
14 satellite academies, you know, State Police, district
15 offices, whatever the case may be. We're going to try
16 to spread this out in such a way that it can be easily
17 accessible, right. But if an agency has already got a
18 plan, that's great.

19 CHIEF KASSETAS: Brian, what is the projected
20 cost of the kit?

21 MR. COSS: The kit is coming in right at a
22 \$31 bill. It's just shy of \$31.

23 CHIEF KASSETAS: So one thing I would add --
24 and it's important and I think DPS can help get this
25 off its feet. But as Mark points out, it's an

1 important component. So it's incumbent upon each
2 chief and sheriff. \$31 for me times 650 officers adds
3 up, right?

4 MR. COSS: Right.

5 CHIEF KASSETAS: Valencia County, how many
6 are you running over there?

7 MR. SHEA: Fifty-one commissioned.

8 CHIEF KASSETAS: It's proportionate to your
9 budget. I understand that. But at some point too,
10 those agencies can make it part of their standard
11 operating procedure to even replace them.

12 I don't know how long my budget can sustain
13 even replacing them. But I think at some point we
14 would wean them off of DPS and say here is what you
15 need to get started, ultimately your agency should
16 take this over. And probably most will, you know.

17 MR. COSS: Chief, if I may, the statute
18 actually appropriates recurring funding beginning in
19 '19.

20 CHIEF KASSETAS: The Law Enforcement
21 Protection Fund?

22 MR. COSS: The Law Enforcement Protection
23 Fund.

24 CHIEF KASSETAS: Good luck with that, Brian.
25 Good luck with that.

1 MR. COSS: But that's the first time --
2 that's the first time in the legislative act that, you
3 know, that money has become available, right. So the
4 goal ultimately is, you know, to get us past the
5 initial phase.

6 And then, from that point forward, the
7 legislative act should be supporting it from that
8 point forward. And that recurring funding, Chief, is
9 24,500 each year thereafter. So that way we'll be
10 able to sustain these.

11 As Mark said, by leaving out the hemostatic
12 agent, the clotting agent, right, that's what was
13 going to short-term this kit, okay, because that has a
14 shelf life. It has an expiration date, right. So
15 something that statistically, in a true combat
16 setting, was not really that effective at doing what
17 it was doing. There were other things out there that
18 did just as well as the clotting agent.

19 CHIEF McCALL: So will you be distributing
20 these kits to the satellite academies?

21 MR. COSS: We will. So the satellite
22 academies, so they can, you know, be able to do this
23 for their basic classes, their CBW classes. And then,
24 like I say, we're going to develop a logistics
25 delivery system of some type so that the kits are a

1 little bit more readily accessible should they need
2 one.

3 Like I say, I just don't want you waiting ten
4 days for, you know, you to call me and me to put one
5 in a box and ship it to you. You know, that's ten
6 shifts that you're working without it when you might
7 need it.

8 CHIEF McCALL: All right. Fantastic.
9 Congratulations, Undersheriff Shea, and the team of
10 folks I know that worked with you on this.
11 Congratulations and thank you guys for pushing that
12 through. There's no doubt in my mind that at some
13 point fortunately you've saved officers' lives in the
14 future.

15 MR. SHEA: Thank you, Chief McCall. And, of
16 course, we wouldn't have gotten even started had it
17 not been the support of the Board. Because I did
18 bring it to the Board before we really took this on
19 and took it to the legislature to let the Board know
20 what the intention was.

21 And individual Board Members came up to me
22 after that meeting and spoke with me with individual
23 support also. So that helped greatly in emboldening
24 me to get out there and work with the legislature to
25 make this happen.

1 CHIEF McCALL: Great. All right. Thank you,
2 Deputy Director Coss.

3 ITEM NO 14: PRESENTATION AND POSSIBLE ACTION ON
4 REPORT BY SUBCOMMITTEE ON OFFICER-INVOLVED SHOOTINGS

5 CHIEF McCALL: We'll move to item No. 14,
6 presentation and possible action on subcommittee
7 report on officer-involved shootings. I guess this
8 will be presented by Chief Kassetas.

9 CHIEF KASSETAS: Great. Thank you, Mr. Vice
10 Chair. This is the portion where we talk about what
11 had occurred in December of 2016, where the Attorney
12 General and the Chairman of this Board suggested or
13 brought forth what they believed was the need to look
14 at officer-involved shooting policies and procedures
15 at this Board's level and make certain recommendations
16 to the chiefs and sheriffs around the State.

17 So again this was convened in December of
18 2016. We met three times, the subcommittee met three
19 times. That subcommittee consists of Kelly Burnham,
20 Elisabeth Miller, myself, and Chief Darren Soland.

21 And we were assisted extensively by the staff
22 of the Attorney General's Office. And I would like to
23 thank them for their help, to include Sonya and Julia,
24 for keeping us organized and pointed in the right
25 direction.

1 We solicited first input from all the law
2 enforcement agencies statewide. Emails were sent out,
3 communication was made to all the law enforcement
4 heads. And we received responses back from those
5 individuals.

6 I believe we sent out 142 letters, and 85
7 responses were received I believe. Again the
8 subcommittee met from my records on February 10th,
9 2017; March 7th, 2017; and May 10th, 2017.

10 We reviewed the policies and processes and
11 procedures by all the agencies that submitted their
12 paperwork. We formulated our data and discussion
13 points into a draft report, which the Board now has in
14 front of them behind tab 14 I believe. It's there.
15 Good.

16 With that said, that was the process getting
17 us to this draft portion. I have some
18 recommendations. Is there any discussion on that as
19 far as what you've reviewed prior to this meeting as
20 far as the draft?

21 CHIEF McCALL: Any comments or questions on
22 the draft from the Board?

23 CHIEF KASSETAS: So with that said, the
24 purpose is to get a good site picture of what agencies
25 are doing in New Mexico and then provide guidelines

1 for adoption that chiefs and sheriffs can consider
2 moving forward, best practices so to speak, as far as
3 how they investigate officer-involved shootings and/or
4 conflict those investigations out.

5 I would like to go over four points that I
6 think I can place into a motion. First and foremost,
7 I think we should hold this open as a draft and I
8 won't make it a motion.

9 CHIEF McCALL: I don't know that we can take
10 action. But we can discuss; is that correct?

11 CHIEF KASSETAS: I don't think we can take
12 formal action.

13 CHIEF McCALL: Go ahead, Chief. I'm sorry.

14 CHIEF KASSETAS: I apologize. You're
15 correct. We'll leave it open in a draft until the
16 September meeting, when it will be voted on. And I
17 think, in the interim between now and September, there
18 are a couple things I would recommend we would have
19 done.

20 The AG and his staff solicited input from
21 other organizations regarding the suggested
22 recommendation. I think that we should go back to the
23 nonresponsive agencies and give them an opportunity to
24 respond or comment on the recommendations.

25 And I think that any nonsignificant

1 deviations and responses be included in a final report
2 and that a summary of any feedback received from the
3 law enforcement agencies be included in the final
4 report also. I think we should make it a matter of
5 record what agencies brought up regarding the final
6 approved report in September.

7 I think the goal here is to make sure we have
8 the best working product before we publish it. And I
9 believe that there are agency heads out there that we
10 would greatly benefit from after their review of this
11 draft.

12 And I believe -- and I have to defer to the
13 Attorney General counsel for the Board. It is
14 acceptable to send this out in draft form to anybody
15 that asks for it through an IPRA maybe, is that the
16 process, and/or to our counterparts?

17 MR. LANGE: Yeah. Mr. Vice Chair, Members of
18 the Board, anyone can make an IPRA request. I don't
19 know the best policy you all want to follow regarding
20 disseminating this draft. But this can be requested
21 through an Inspection of Public Records Act.

22 CHIEF KASSETAS: So with that said, that's
23 another component that this Board should consider, is
24 the ability for the public to comment.

25 Now, many of the things we do in

1 officer-involved investigations are procedural and
2 based, of course, on case law or practices district
3 attorneys want to see.

4 But on the other end too, there is a
5 component that we would welcome the public's review
6 on. And maybe we would even better understand some of
7 the issues involved in how we investigate our
8 shootings.

9 So in the end we could further have a review
10 of this draft from, in recapping, the law enforcement
11 community and the leadership in that community; in
12 other words, give them the draft we haven't seen yet
13 because it's just newly developed. And also members
14 of the public that are interested I think should
15 review it and provide feedback.

16 And I would ask the Attorney General's Office
17 to set up some sort of methodology for the public
18 and/or law enforcement, when we send this out, to
19 comment back to you so we don't have every Board
20 Member getting comments. We could work on that I
21 suppose, the subcommittee can work on that, as far as
22 how to get comments back.

23 Those would be my suggestions moving forward,
24 Mr. Vice Chair and the rest of the Board.

25 CHIEF McCALL: All right. In reviewing the

1 document myself, I had a couple of issues that I saw
2 that I thought could be worth the Board discussing.

3 One is under Section V, Best Practice
4 Recommendations.

5 CHIEF KASSETAS: What page is that, Chris?

6 CHIEF McCALL: This is page 5, Best Practice
7 Recommendations. In the first paragraph, about the
8 last sentence, it refers to policies and procedures
9 and how critical they are to law enforcement. And
10 then it also references the Board's jurisdiction as
11 the state's authority on law enforcement training
12 standards and officer discipline.

13 You know, this was one of my concerns when
14 this subcommittee was convened. I still support the
15 idea that this work needs to be done. I still feel
16 like this is the wrong venue for it.

17 And this is a good example, this one
18 sentence, you know, citing shaping policies and
19 procedures for agencies. And then also recognizing
20 that our purview is just law enforcement training
21 standards and officer discipline. We don't have
22 purview over agencies and their policies.

23 I just want to make sure we continue to keep
24 that theme clear as we move forward with this program.
25 You know, I think it's an important piece of work. I

1 think there's been some fantastic work done on it,
2 pulling this information together. I still view this
3 as the wrong setting to try to pursue some of this.

4 Also, under Recommendation 4 which is on
5 page 7, it cites some research suggesting that, "The
6 paperwork requirement may act as a deterrent to
7 unnecessary use of force because of the added demands
8 on officers' time." I don't know where that research
9 is at.

10 But from the standpoint of a law enforcement
11 administrator, I would say that allows an agency to
12 actively review incidents and make corrections through
13 training and policy. That's the point of trying to
14 capture that information, not to deter an officer
15 through additional paperwork. I disagree with that
16 statement.

17 SHERIFF WALLER: I agree with that concern.

18 CHIEF KASSETAS: I can speak to that. I
19 think it's a matter of wording. I believe that what
20 the spirit of that was is that it is incumbent upon
21 agencies to document all of their use of force. And
22 we see sometimes that several agencies don't.

23 And I deal with this on the CALEA board, the
24 CALEA accreditation, because there was an upheaval
25 when CALEA had said, any time there is a show of

1 force, a report needs to be done. So when an officer
2 cleared letter and pulled their service revolver at
3 the low rating position, they wanted a report. Well,
4 that is not practical in a lot of areas.

5 Now, I agree. When you point your weapon at
6 somebody and you're prepared to pull the trigger,
7 that's a different scenario. But we can better define
8 that show of force and actually define why it's
9 important to document that versus -- I think this
10 reads, if an officer has to do a report, those
11 incidents of use of force will go down. And that's a
12 bit of a liberal approach to that I believe. We can
13 look at that.

14 CHIEF McCALL: I would recommend removing
15 that from our draft. Any other comments from the
16 Board in regards to this report? Thank you to our
17 subcommittee. Thank you to Sonya and Julia for the
18 work that you did on this as well. This is a lot of
19 compiled information, a lot of good information. If
20 we have no further discussion on that, we'll move on.

21 ITEM NO. 15: MR. CHRIS MECHELS' REQUEST FOR
22 DISCUSSION ON INQUIRY OF CURRICULUM APPROVAL

23 CHIEF McCALL: To item No. 15, Mr. Chris
24 Mechels' request for a discussion on inquiry of
25 curriculum approval. And I think we received

1 information or documentation from Mr. Mechels on his
2 request. Is there any discussion on this topic from
3 the Board after reading the information?

4 MS. BURNHAM: Mr. Chairman, I guess I would
5 just like to have the question answered about why the
6 curriculum is 672 hours. I guess I don't even
7 understand really the issue.

8 CHIEF McCALL: You know, I didn't understand
9 that either. We set basic Law Enforcement Academy
10 standards. We set basic standards. Anything above
11 that is I guess welcomed and encouraged is what we
12 would say. I mean any additional training hours above
13 that benefits the officer. I'm not sure what issue
14 Mr. Mechels is taking with that.

15 MS. BURNHAM: So we have a wealth of hours
16 above what we're required to have; is that correct?

17 CHIEF McCALL: Yes.

18 MS. BURNHAM: Okay.

19 CHIEF KASSETAS: And for me -- I don't see
20 Mr. Mechels here. But it continues to come up as an
21 agenda item. He says, "Approval of the LEA Santa Fe
22 class schedule and content. The LEA Director approves
23 the classes of satellite academies for NMAC. Who
24 approves his classes? Him?"

25 I know that the Board has oversight of the

1 16 hours of required statutory courses that we
2 instruct at the Academy. If anything is added to
3 that, is that at the discretion of you, Mr. Marshall?

4 DIRECTOR MARSHALL: Yes. It is the practice
5 that I review the actual schedule that comes out for
6 each class and make sure that it meets the minimum
7 necessary standards for the -- or exceeds the minimum
8 necessary standards for NMAC. So I approve the
9 schedule for the Santa Fe Academy just like we do for
10 the satellite academies.

11 CHIEF McCALL: I think I would view that in
12 the terms that Director Marshall is the Director of
13 the New Mexico Law Enforcement Academies, which
14 includes Santa Fe as well as all satellite academies.
15 So I would view Mr. Marshall's job as what sits over
16 the top of all of the academies in this state.

17 CHIEF KASSETAS: So it is correct and it is
18 proper for him as the Director to be held accountable
19 for not only the statutory requirement of the 16-week
20 school, but any classes that he chooses to add through
21 either his staff and/or his constituency, other law
22 enforcement leaders in the community. That's his
23 purview, correct?

24 CHIEF McCALL: Yes.

25 DIRECTOR MARSHALL: And I think today was a

1 good example of some of those additions that come up,
2 the HB 9 training, other legislative mandated
3 trainings. Those are things that come in that have
4 not necessarily been called for in the curriculum yet.
5 But they're required courses that are above the
6 minimum number of hours required under NMAC.

7 CHIEF KASSETAS: And there is a line that we
8 have to look at, right? Budgetary constraints. If we
9 add an extra firearms component and have to provide
10 the ammunition, that's at a cost to DPS.

11 You know, it is a basic academy. There's
12 nothing that prevents agencies in this state, when
13 they get their personnel certified, to train them well
14 above and beyond what we do at the state level.

15 And I know that's understood. Any addition,
16 it's man-hours. And at times that is warranted. I
17 understand that. But we live in an environment -- and
18 we've said this before and I've said it as a Board
19 Member before -- where we have to be fluid in our
20 approaches to training.

21 If you as the Director have to come back to
22 this Board every time to approve a lesson plan which
23 you don't have to do or to change training to better
24 serve our officers, we won't get the job done.

25 We only meet quarterly. And much of our time

1 is consumed with discipline cases. And we're finally
2 actually streamlining those discipline processes where
3 we can actually get the tangible items of improvement
4 on the agenda as it relates to helping the Law
5 Enforcement Academy and the chiefs and sheriffs out
6 there.

7 So I think the answer to Mr. Mechels'
8 question is very easy to answer, that you have that
9 oversight. That's your job as the Director. And the
10 Board stands ready to listen to the changes you want
11 to make; as long as they're aligned with the statutory
12 requirements, then we move forward.

13 CHIEF McCALL: Any further discussion?

14 DIRECTOR MARSHALL: I would like to add,
15 that's one reason we changed the rules six months ago.
16 The rules talked about having lesson plans posted
17 online. And that was just a bad idea. The curriculum
18 needs to be posted.

19 But lesson plans, as the chief pointed out,
20 those needs need to be fluid. They need to be
21 teaching what's today. And I think I can speak on
22 behalf of the other directors here that, if we're
23 teaching the same thing every time, then we're not
24 paying attention. So I think you're absolutely right,
25 sir.

1 CHIEF KASSETAS: A good instructor is always
2 going to be updating their lesson plan with current
3 information or tweaks; they'll teach a class and then
4 they'll find out that something didn't work. It
5 doesn't mean they're changing the entire content. But
6 that's something that that instructor is held
7 accountable for. I agree. Thank you.

8 DIRECTOR MARSHALL: Thank you.

9 CHIEF McCALL: Any further comment on that
10 topic? All right.

11 ITEM NO. 16: MR. CHRIS MECHELS' REQUEST FOR
12 DISCUSSION ON INQUIRY OF USE OF FORCE CURRICULUM

13 CHIEF McCALL: We'll move to item No. 16,
14 Mr. Chris Mechels' request for discussion of inquiry
15 of use of force curriculum. I think we all received
16 an email.

17 These were really questions related to a
18 particular case, which I feel is outside the purview
19 of the Board to comment on. I don't know how the rest
20 of the Board feels, if there's comments that you would
21 like to make in regards to Mr. Mechels' request for
22 discussion.

23 CHIEF KASSETAS: My opinion on this is that
24 there is use of force training already implemented in
25 the Basic Academy. And it further leads me to the

1 discussion of how items are placed on the agenda and
2 are not placed on the agenda, which is not up for
3 discussion now. But without the person here that
4 requested this be put on the agenda, I really don't
5 know which way to take it.

6 CHIEF McCALL: Right. I'm not clear on the
7 direction. Any comment on that? If not, we'll move
8 from that topic to disciplinary matters, which will
9 put us into closed session.

10 I now move that the Board go into closed
11 executive session to discuss only those matters listed
12 on the agenda under executive session pursuant to NMSA
13 1978 10-15-1(H)(1), (3), and (7). Do I have a second?

14 CHIEF SOLAND: Second.

15 CHIEF McCALL: I have a second.

16 Ms. Medrano, please call the roll.

17 MS. MEDRANO: Chief Pete Kassetas.

18 CHIEF KASSETAS: I'm here.

19 MS. MEDRANO: Sheriff Wesley Waller.

20 SHERIFF WALLER: Yes.

21 MS. MEDRANO: Chief Darren Soland.

22 CHIEF SOLAND: Yes.

23 MS. MEDRANO: Chief Chris McCall.

24 CHIEF McCALL: Yes.

25 MS. MEDRANO: Sergeant Jaime Quezada.

1 SERGEANT QUEZADA: Yes.

2 MS. MEDRANO: Ms. Kelly Burnham.

3 MS. BURNHAM: Yes.

4 CHIEF McCALL: All right. With that vote
5 we'll move into closed session and we'll ask the Board
6 Members to step out of the room.

7 (Recess from 10:05 a.m. to 11:00 a.m.)

8 ITEM NO. 26: RETURN TO OPEN SESSION; AND POSSIBLE
9 ACTION ON MATTERS DISCUSSED IN CLOSED SESSION

10 CHIEF McCALL: We'll return to open session
11 and possible actions on matters discussed in closed
12 session. Welcome back.

13 The Board is now in open session. I affirm
14 that, while in closed session, it discussed only those
15 matters specified in the motion and listed on the
16 agenda under executive session in accordance with NMSA
17 1978 Section 10-15-1(H). We're back in open session.

18 ITEM NO. 17: RICHARD P. GARCIA

19 CHIEF McCALL: We'll start with proposed
20 orders of suspension from Director by default or
21 stipulation. Item No. 17 is Richard P. Garcia. Do I
22 have a motion in reference to Richard P. Garcia?

23 CHIEF KASSETAS: Mr. Vice Chair, regarding
24 Richard P. Garcia, I would like to make a motion to
25 accept a Director's recommendation of a six-month

1 suspension.

2 CHIEF McCALL: I have a motion to accept. Is
3 there a second?

4 CHIEF SOLAND: Second.

5 CHIEF McCALL: I have a motion and a second.
6 All in favor.

7 (Those in favor so indicate.)

8 CHIEF McCALL: Any opposed? Seeing none, the
9 motion passes.

10 SERGEANT QUEZADA: Mr. Vice Chair, if you
11 could show on the record on item No. 17 that I did
12 recuse myself from that disciplinary action.

13 ITEM NO. 18: ERIC LOPE

14 CHIEF McCALL: Moving to item No. 18, Eric
15 Lope, do I have a motion in regard to Mr. Lope?

16 SHERIFF WALLER: Mr. Vice Chair, I move that
17 we accept the Director's recommendation and approve
18 the three-year suspension.

19 CHIEF McCALL: I have a motion to accept the
20 recommendation for a three-year suspension. Is there
21 a second?

22 SERGEANT QUEZADA: I'll second it.

23 CHIEF McCALL: And a second. All in favor.

24 (Those in favor so indicate.)

25 CHIEF McCALL: Any opposed? The motion

1 carries.

2 ITEM NO. 19: SAM SENA

3 CHIEF McCALL: We'll move to item No. 19,
4 Sam Sena.

5 MS. BURNHAM: Mr. Vice Chairman, I move to
6 accept the Director's recommendation and approve a
7 one-year suspension. And we further recommend that
8 the Director review Mr. Sena's certification as a
9 firearms instructor.

10 CHIEF McCALL: I have a motion. Is there a
11 second?

12 SHERIFF WALLER: Second.

13 CHIEF McCALL: A motion and a second. All in
14 favor.

15 (Those in favor so indicate.)

16 CHIEF McCALL: Any opposed? Seeing none, the
17 motion carries.

18 CHIEF KASSETAS: Mr. Vice Chair, let the
19 record reflect that I recused on item No. 19, Sam
20 Sena.

21 ITEM NO. 20: JOHN FRAY

22 CHIEF McCALL: Next is item No. 20, John
23 Fray. Let the record reflect that I recused myself
24 during the discussion on Mr. Fray. Do we have a
25 motion in regards to Mr. Fray?

1 CHIEF SOLAND: Yes. Mr. Chair, I make a
2 motion to approve the Director's recommendation of a
3 one-year suspension.

4 CHIEF McCALL: I have a motion. Is there a
5 second?

6 MS. BURNHAM: Second.

7 CHIEF McCALL: A motion and a second. All in
8 favor.

9 (Those in favor so indicate.)

10 CHIEF McCALL: Any opposed? The motion
11 carries.

12 ITEM NO. 21: JONATHAN GOKEY

13 CHIEF McCALL: Item No. 21, Jonathan Gokey.
14 Do I have a motion in regards to Mr. Gokey?

15 CHIEF SOLAND: Mr. Chair, I would like to
16 make a motion to approve the Director's recommendation
17 of a six-month suspension.

18 CHIEF McCALL: I have a motion on the floor.
19 Do I have a second?

20 SERGEANT QUEZADA: I'll second it.

21 CHIEF McCALL: And a second. All in favor.

22 (Those in favor so indicate.)

23 CHIEF McCALL: Any opposed? The motion
24 carries.

25 ITEM NO. 22: CHARLES LUJAN

1 CHIEF McCALL: Moving on to item No. 22,
2 Charles Lujan, do I have a motion in regards to
3 Mr. Lujan?

4 SHERIFF WALLER: Mr. Vice Chair, I move that
5 we accept the Director's recommendation and approve a
6 one-year suspension.

7 CHIEF McCALL: I have a motion to accept the
8 recommendation. Is there a second?

9 CHIEF SOLAND: Second.

10 CHIEF McCALL: And a second. All in favor.
11 (Those in favor so indicate.)

12 CHIEF McCALL: Any opposed? None. The
13 motion carries.

14 ITEM NO. 23: JASON WAGNER

15 CHIEF McCALL: We'll move on to item No. 23,
16 Jason Wagner. Is there a motion in regard to Jason
17 Wagner?

18 MS. BURNHAM: Yes, Mr. Vice Chairman. I move
19 that we approve the Director's recommendation of a
20 two-year suspension for Mr. Wagner.

21 CHIEF McCALL: All right. There is a motion
22 on the floor. Is there a second?

23 CHIEF SOLAND: Second.

24 CHIEF McCALL: A motion and a second. All in
25 favor say aye.

1 (Those in favor so indicate.)

2 CHIEF McCALL: Any opposed? Seeing none, the
3 motion carries.

4 ITEM NO. 24: ALEXANDER SMITH

5 CHIEF McCALL: I will move to proposed orders
6 of revocation from Director by default. Item No. 24,
7 Alexander Smith, is there a motion in regards to
8 Mr. Smith?

9 CHIEF KASSETAS: Mr. Vice Chair, in regards
10 to Alex Smith, I would like to make a motion to accept
11 the recommendation of revocation.

12 CHIEF McCALL: I have a motion to accept the
13 recommendation. Is there a second?

14 MS. BURNHAM: Second.

15 CHIEF McCALL: A motion and a second. All in
16 favor.

17 (Those in favor so indicate.)

18 CHIEF McCALL: Any opposed?

19 SERGEANT QUEZADA: Mr. Vice Chair, on item
20 No. 24, Mr. Alex Smith, let the record show that I
21 recused myself.

22 CHIEF McCALL: On item 24 Sergeant Quezada
23 recused himself.

24 ITEM NO. 25: JOAQUIN TORRES

25 CHIEF McCALL: We'll move now to item 25,

1 Joaquin Torres. Is there a motion in regard to
2 Joaquin Torres?

3 SERGEANT QUEZADA: Yes, Mr. Vice Chair. I
4 would like to make a motion to accept the Director's
5 recommendation on the approval of revocation.

6 CHIEF McCALL: All right. There's a motion
7 on the floor. Is there a second?

8 SHERIFF WALLER: Second.

9 CHIEF McCALL: A motion and a second. All in
10 favor.

11 (Those in favor so indicate.)

12 CHIEF McCALL: Any opposed? None. The
13 motion carries.

14 CHIEF KASSETAS: I would like to also let the
15 record note that I recused myself from this process
16 for Mr. Joaquin Torres.

17 ITEM NO. 27: ADJOURNMENT

18 CHIEF McCALL: All right. We've come to our
19 adjournment.

20 But before we adjourn I wanted to give the
21 Board any opportunity to make any comments. Are there
22 any comments from the Board in regards to any issue?

23 I'll take a motion to adjourn.

24 SHERIFF WALLER: So moved.

25 CHIEF McCALL: And a second?

1 CHIEF SOLAND: Second.

2 CHIEF McCALL: I have a motion and a second.

3 All in favor.

4 (Those in favor so indicate.)

5 CHIEF McCALL: Any opposed? We will be
6 adjourned.

7 (At 11:05 a.m. the meeting was adjourned.)

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REPORTER'S CERTIFICATE

1
2
3 I, JAN A. WILLIAMS, New Mexico CCR #14, DO
4 HEREBY CERTIFY that on June 6, 2017, the proceedings
5 in the above captioned matter were taken before me,
6 that I did report in stenographic shorthand the
7 proceedings set forth herein, and the foregoing pages
8 are a true and correct transcription to the best of my
9 ability.

10 I FURTHER CERTIFY that I am neither employed
11 by nor related to nor contracted with (unless excepted
12 by the rules) any of the parties or attorneys in this
13 case, and that I have no interest whatsoever in the
14 final disposition of these proceedings.
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22

23 JAN A. WILLIAMS, RPR
24 New Mexico CCR #14
25 License Expires: 12/31/17

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